UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,628	06/19/2001	Amir D. Kolsky	11912/1B	4530

26646 7590 12/23/2004

KENYON & KENYON
ONE BROADWAY
NEW YORK, NY 10004

EXAMINER	
ZHONG, CHAD	

ART UNIT	PAPER NUMBER
2152	

DATE MAILED: 12/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/885,628	KOLSKY, AMIR D.	
	Examiner	Art Unit	
	Chad Zhong	2154	

-- Th MAILING DATE of this communication app ars on the cover she t with th correspondenc address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 March 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *06 March 2002* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-22 are presented for examination.

2. It is noted that although the present application does contain line numbers in specification and claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For ease of reference by both the Examiner and Applicant all future correspondence should include the recommended line numbering.

3. Applicant is required to update the status (pending, allowed, etc.) of all parent priority applications in the first line of the specification. The status of all citations of US filed applications in the specification should also be updated where appropriate.

4. The filed drawings on 03/06/2002 are too dark to be viewable, an objection to the drawings are made. Examiner respectfully requests new drawings be submitted.

5. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because it contains "The present invention provides". Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. Claim 11 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 11 is rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for a predefined preference table, does not reasonably provide enablement for association of predefined preference table with a desirability ranking for communications capabilities with respect to one another. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention commensurate in scope with this claim.

No where within the disclosure was desirability ranking mentioned, appropriate correction to the claim are required, to allow enablement coherent to the specification.

The Examiner submits that it would require undue experimentation for one of ordinary skill in the art to make and use the invention for reason set forth hereinabove. Applicants are reminded that no new matter is allowed in the amendment to the specification under 35 U.S.C. 132 and 37 CFR 1.118(a).

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 (c) of this title before the invention thereof by the applicant for patent.

9. Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Schuster et al. (hereinafter Schuster), US 6,731,630.

6. As per claim 1, Schuster teaches a method for providing access to resources (wherein the resources on the heterogeneous network comprising of phone, pager, data network etc, as depicted on Fig 1)on heterogeneous networks via any network and associated access network device, comprising the steps of:

a. associating each of a plurality of resources with a respective universal resource identifier (Col. 10, lines 15-34, wherein the resources are associated with the URI or the universal resource identifiers);

b. receiving a resource identifier associated with a desired resource via an access network (Col. 10, lines 15-34, for instance we are calling a pager or a phone or access to particular data network element within the data network, said URI is acting as the resource identifier for that particular device);

c. resolving the resource identifier to determine information associated with the desired resource, wherein the desired resource may reside on any of the heterogeneous networks (Col. 10, lines 15-34, wherein the formatting of the request message to the appropriate destination entails resolving of the resource identifier; Col. 6, lines 40-50; Fig 1, wherein the heterogeneous network and plurality of network resources are disclosed);

d. causing a communications session to be established with the desired resource (Col. 10,

lines 15-34, wherein the communication session is established between the requester and the resource).

7. As per claim 2, Schuster teaches the method according to claim 1, further including the steps of:

a. determining at least one communications capability of an access device; and,

b. selecting from the at least one communications capability, a preferred communications capability (Col. 10, lines 15-34, wherein the communications capability is voice communication, the preferred capability is limited by the voice CODECs which are exchanged to guarantee the type of capability to be carried out later on during the session, furthermore the exchange of CODEC information falls under the ability to determine the capabilities of destination device with the current device).

8. As per claim 3, Schuster teaches the method according to claim 2, wherein the communications session is established as a function of the preferred communications capability (Col. 10, lines 15-34, wherein the session is established based on the preferred voice capability).

9. As per claim 4, Schuster teaches the method according to claim 1, wherein step (b) further includes the steps of receiving a signal prefix for signaling the access network that a UTRI has been transmitted (see for example, Col. 10, lines 60-67, wherein the prefix or a portion of INVITE indicator is a part of the message that indicate to the network a message containing the identifier has been sent, in particular 'session description' is portion of the INVITE indicator that indicate the message has been sent, with the ACK sent back from the receiving side indicating successful transmission.).

10. As per claim 5, Schuster teaches the method according to claim 1, wherein the access network is the PSTN (Col. 6, lines 10-15).

11. As per claim 6, Schuster teaches the method according to claim 5, wherein the UTRI is generated by a dialing operation on a telephony device (Col. 6, lines 5-20).

12. As per claim 7, Schuster teaches the method according to claim 1, wherein the UTRI is embedded in a message (Col. 10, lines 10-35).

13. As per claim 8, Schuster teaches the method according to claim 7, further including the step of extracting the UTRI from the message (Col. 10, lines 10-35, wherein the identifier must first be extracted to be appropriately formatted for further execution).

14. As per claim 9, Schuster teaches the method according to claim 7, wherein the message is one of an e-mail message, an SMS message, an instant message and a pager message (Col. 3, lines 34-35).

15. As per claim 10, Schuster teaches the method according to claim 2, wherein the step of determining a communications capability of the access device further includes the steps of:

a. storing a table, which associates an access device identifier with at least one communications capability (Col. 18, lines 10-25, wherein the unique variable length codes identifies the capability of the device, see for example Col. 15, lines 15-25 wherein the system can access the PSTN or the data network based on the variable length codes. Thus the variable length codes or communications capability has an association with the identifier within the database);

b. receiving an access device identifier associated with the access device (Col. 10, lines 10-35); and,

c. searching the table for the access device identifier to find at least one communications capability for the access device (Col. 18, lines 10-25, lines 30-45).

16. As per claim 11, Schuster teaches the method according to claim 10, wherein the step of selecting a preferred communications capability further includes the step of consulting a pre-defined preference table (Col. 18, lines 10-25; Col. 10, lines 10-35, wherein the preferred capability is the voice communication and CODECs are being exchanged to ensure proper communication),

wherein the pre-defined preference table associates a desirability ranking for communications capabilities with respect to one another (NOTE, for purpose of examination, the Examiner will interpret this as various capabilities stored within the database) (see for example Col. 18, lines 10-24, lines 35-45).

17. As per claim 12, Schuster teaches the method according to claim 1, wherein the heterogeneous networks include the PSTN, the Internet, a pager network and a wireless network with or without data capabilities including SMS, EMS, MMS and USSD (Fig 1; Col. 3, lines 35).

18. As per claim 13, claim 13 is rejected for the same reasons as rejection to claim 1 above. Furthermore, the notion of resource resolution is addressed when user entry is extracted formatted in order to resolve the proper destination as requested by the sender as supported by Col. 10, lines 15-34.

19. As per claim 14, Schuster teaches the method according to claim 13, wherein the resource resolution network is accessible via at least one access network associated with an access device for access to a desired resource (Fig 1).

20. As per claim 15, Schuster teaches the method according to claim 14, wherein the desired resource is associated with one of the access network and a network external to the access network (Fig 1).

21. As per claim 16, Schuster teaches the method according to claim 13, wherein the at least

one resource resolution node is further adapted to perform a communications decision process to determine a communications mode for access to the resource relative to one or more communications capabilities associated with an access device (Col. 16, lines 25-67; Col. 18, lines 10-24, lines 30-45).

22. As per claim 17, claim 17 is rejected for the same reasons as rejection to claim 6 above.

23. As per claim 21, Schuster teaches the method according to claim 1, further including the step of disseminating at least one universal identifier through a distribution channel (Fig 1; Col. 10, lines 10-35).

24. As per claim 22, claim 22 is rejected for the same reasons as rejection to claim 20 above.

25. Claims 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Schneider, US 6,338,082.

26. As per claim 18, Schneider teaches a method for providing access to generalized services over a network comprising the steps of:

(a) associating each of at least one universal shell object with a universal identifier (for the purpose of examination, universal shell object will be interpreted as a template. See for example, Col. 6, lines 55-65);

(b) associating each of a plurality of users with a plurality of desired services related to a specified universal shell object (Col. 6, lines 55-65, Col. 11, lines 1-8, wherein the plurality of searches made by multiple users relates to each of particular templates);

(c) receiving an input universal identifier associated with a desired universal shell object and information associated with a user (Col. 11, lines 1-8; Col. 14, lines 25-33, lines 50-65, wherein the search string is associated with a template and search string category information is associated

with particular items the user wish to locate);

(d) resolving the input universal identifier to determine a desired universal shell object and at least one service, wherein the service is determined as a function of information associated with the user (Col. 14, lines 25-33, lines 50-65, wherein the system attempt to resolve an end service corresponding to user search query);

(e) providing the at least one service to the user (Col. 15, lines 1-15, wherein the appropriate services are provided to the end users).

27. As per claim 19, Schneider teaches the method according to claim 18, wherein the universal identifier is disseminated through a distribution channel (wherein the search requests travels within a network environment).

28. As per claim 20, Schneider teaches the method according to claim 18, wherein the distribution channel includes at least one of an advertisement, an article, a television program, a movie and a commercial product (Col. 15, lines 15-30, wherein the distribution channel is for commercial purposes).

Conclusion

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "Method And System For Universal And Transparent Access To Heterogeneous Resources".

i. US 6654796 Slater et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (571)272-3946. The examiner can normally be reached on M-F 7:15 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BURGESS, GLENTON B can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CZ
November 30, 2004

GLENTON B. BURGESS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100